

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Sally Waller, Crystal Wilson, Rosie)	
Stevenson, Patricia Cook, Judith)	
Wendling, Winnie Van, Julia Biggs,)	
Arthur Brobst and Shirley Dalley,)	
)	
Plaintiffs,)	
)	
v.)	No. 09 C 3505
)	
Phillips & Cohen Associates, Ltd., a)	Judge Grady
New Jersey corporation,)	Magistrate Judge Schenkier
)	
Defendant.)	<u>Jury Demanded</u>

MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

Plaintiffs, Sally Waller, Crystal Wilson, Rosie Stevenson, Patricia Cook, Judith Wendling, Winnie Van, Julia Biggs, Arthur Brobst and Shirley Dalley, move this Court, pursuant to Fed.R.Civ.P. Rule 15, for leave to file the attached Second Amended Complaint (w/o exhibits). In support of their motion, Plaintiffs state:

1. On June 9, 2009, the initial Complaint was filed in this matter, which included the first seven Plaintiffs listed above.
2. On June 12, 2009, an Amended Complaint was filed in this matter, pursuant to Fed.R.Civ.P. Rule 15(a), which included two additional Plaintiffs, Mr. Brobst and Ms. Dalley.
3. Plaintiffs hereby move for leave to file a Second Amended Complaint, which includes as additional Plaintiffs, Ruth Niehaus, Mary Travagline, Karen Brandon, Clara Gallman, Nancy Burbine, Beatrice Baur, Betty Davis, Lynn Cesar and Damasa Vazquez, whose claims are factually and legally identical to the claims of the other Plaintiffs, and which refines some of the factual allegations.

4. Defendant has yet to answer the Complaint in this matter, and thus including these additional Plaintiffs will not present any undue prejudice or burden to Defendant.

5. Moreover, allowing Plaintiffs leave to file their Second Amended Complaint, to include additional Plaintiffs, will allow the parties and the Court to conserve their resources, and allow one judge to resolve the claims of all Plaintiffs.

WHEREFORE, Plaintiffs, Sally Waller, Crystal Wilson, Rosie Stevenson, Patricia Cook, Judith Wendling, Winnie Van, Julia Biggs, Arthur Brobst and Shirley Dalley, request that this Court grant them leave to file the attached Second Amended Complaint.

Plaintiffs, Sally Waller, Crystal Wilson, Rosie Stevenson, Patricia Cook, Judith Wendling, Winnie Van, Julia Biggs, Arthur Brobst and Shirley Dalley,

/s/ David J. Philipps
One of Plaintiffs' Attorneys

Dated: July 13, 2009

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CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2009, a copy of the foregoing **MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT** was filed electronically. Notice of this filing will be sent to the following parties via UPS Next Day Air, before 5:00 p.m. on July 13, 2009.

Howard A. Enders, President
Phillips & Cohen Associates, Ltd.
1002 Justison Street
Wilmington, Delaware 19801

/s/ David J. Philipps _____

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